

61. The isolated or purified nucleic acid of claim ~~45~~⁵⁵, having the sequence of SEQ ID NO.:8.

63. The isolated or purified nucleic acid of claim ~~45~~⁵⁵, having the sequence of SEQ ID NO.:7.--

REMARKS

By this amendment, Applicants propose to cancel claims 46-48, amend claims 17, 32, 41-45, 49-52, and 63-66, and add new claims 68-72. Upon entry of this Amendment, claims 1-36, 41-45, 49-58, and 61-72 will be pending in this application.

In a telephone conference between the Examiner and Applicants' undersigned representative on September 19, 2000, the Examiner indicated that the claims of the application were free of the prior art, but that certain claims were not in condition for allowance due to imprecise claim language and/or improper dependency. Applicants' representative indicated that the claims would be reviewed, and an Amendment After Final Rejection, supplementing the Request for Reconsideration After Final Rejection (filed August 22, 2000), would be filed to address the issues raised during the interview.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-36, 41-45, 49-58, and 61-72 in condition for allowance. Applicants submit that the proposed amendments of claims 17, 32, 41-45, 49-52, and 63-66, and new claims 68-72, do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either

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earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner. In addition, the proposed amendments and new claims are consistent with the issues discussed by the Examiner and Applicants' undersigned representative on September 19, 2000. Applicants respectfully submit that the proposed amendments and new claims were not made earlier in prosecution of the application because the need for the amendments was not evident until the telephonic interview of September 19, 2000.

I. *Amendments to Claims 32 and 63-66*

The Examiner has indicated that the use of the term "prolonged" in claims 63-66 is unclear and/or imprecise. By this Amendment, Applicants have amended claims 32 and 63-66 to more clearly and precisely claim the subject matter for which they seek patent protection. In particular, the claims have been amended to recite method steps using positive (active) language, and to replace "prolonged at position B1 by" with the phrase --modified by covalent linkage of the amino acid at position B1 to--. As discussed in the telephonic interview, these two phrases are intended to be equivalent in meaning.

II. *Amendments to Claims 41-44, and New Claim 68*

The Examiner has indicated that claims 41-44 are improperly dependent because they fail to further limit the claims from which they depend. By this Amendment, Applicants have rewritten claim 41 as an independent claim encompassing the subject matter originally intended to be claimed in claims 41-44. Accordingly, Applicants have amended claims 42-44 to provide patent protection for the subject matter originally intended to be claimed in these claims.

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Applicants further have added new claim 68 to provide specific protection for the subject matter originally claimed in claim 41.

III. *Amendments to Claim 45, Cancellation of claims 46-48, and New Claims 69-72*

The Examiner has indicated that claims 45-48 are improperly dependent because they fail to further limit the claims from which they depend. By this Amendment, Applicants have rewritten claim 45 as an independent claim encompassing the subject matter originally intended to be claimed in claims 45-48. Accordingly, Applicants have canceled claims 46-48 and rewritten them as new claims 69-71 to provide patent protection for the subject matter originally intended to be claimed in these claims and to more clearly recite the subject matter for which Applicants desire patent protection (*i.e.*, by reciting --a nucleic acid-- rather than "a DNA sequence"). Applicants further have added new claim 72 to provide specific protection for the subject matter originally claimed in claim 45.

IV. *Amendments of Claims 17 and 49-52*

Applicants have amended claim 17 to more clearly recite the claimed subject matter. Applicants also have amended claims 49-52 to provide consistency of claim language throughout the claims, and to maintain proper and appropriate dependencies.

V. *Conclusion*

In view of the foregoing remarks and the telephone interview of September 19, 2000, Applicants respectfully submit that the claimed invention, as amended herein, is in condition for

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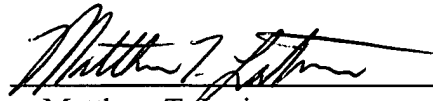
allowance. Applicants therefore request entry of this Amendment, the Examiner's reconsideration of the allowability of the claims, and the timely allowance of the pending claims. If the Examiner believes anything further is necessary to place this application in better form for allowance, she is invited to contact Applicants' undersigned representative at the telephone number or e-mail address listed below.

Applicants are under the belief that no fees are due in connection with this Amendment. However, if any fees are due, please charge such fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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